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January 11, 2010

VIA ECF

Honorable Sandra J. Feuerstein
United States District Court
Eastern District of New York
United States Courthouse
290 Federal Plaza
Central Islip, New York 11722-4437

Order

The application is:

☒ granted to the extent that the Village defendants
☐ denied time to file their motion for summary judgment
☐ referred to Magistrate Judge _____ for
decision
☐ report and recommendation
is extended to January 15, 2010

1/13/10
Re: Carter v. Ocean Beach, et al.
Case No.: 07 Civ. 1215 (SJF)(ETB)

Your Honor:

As you know, the law firm of Rivkin Radler LLP represents Defendants, Incorporated Village of Ocean Beach, Mayor Loeffler, former Mayor Rogers and the Ocean Beach Police Department, (hereinafter "Village Defendants") in the above referenced matter. Reference is made to Mr. Wigdor's letter of January 11, 2010.

As we advised the Court in our letter, dated December 24, 2009, we have no objection to Mr. Wigdor's request. However, if the trial is, indeed, moved back to March 1, 2010, we would request that jury selection begin on March 1, 2010 as well.

Also, as this Court may recall, the Village Defendants have moved for summary judgment, and the fully briefed motion is scheduled to be filed on January 14, 2010. We would respectfully request that Your Honor grant the movants a one (1) day extension of time to file the fully briefed motion from January 14th to January 15th. We have discussed this request with Mr. Goodstadt, and he has "no objection" to this request.

Thank you for your consideration.

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January 11, 2010
RIVKIN RADLER
ATTORNEYS AT LAW

Respectfully submitted,

RIVKIN RADLER LLP

/s/

Kenneth A. Novikoff
(KAN-0350)

KAN/wm

cc: Andrew S. Goodstadt, Esq. (Via ECF)
Kevin W. Connolly, Esq. (Via ECF)
Arlene Zwilling, Esq. (Via ECF)

i/o
Peter P. McNamara, Esq.